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SENATE BILL 2301

By Davis L

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 51, Part 1, relative to annexation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 6-51-102, is amended by adding the following new subsection:

() Notwithstanding the provisions of this section to the contrary, if twenty percent (20%) of the property owners, registered voters or both property owners and registered voters of the territory sought to be annexed by a municipality by ordinance petition for an election to be held, such annexation shall not become operative until an election is held at the expense of the proposing municipality for approval or disapproval of such annexation by the qualified voters who reside or own property in the territory proposed for annexation. The operation of the ordinance shall be subject to approval of the voters who reside or own property in such territory. The county election commission shall hold an election thereon, providing options to vote "For" or "Against" the ordinance, not less than forty-five (45) days nor more than sixty (60) days after the receipt of a certified copy of such ordinance, and a majority vote of those voting in the election shall determine whether the ordinance is to be operative. A vote "For" the ordinance shall be a vote "For Annexation" and a vote "Against" the ordinance shall be a vote "Against Annexation." If the vote is for the ordinance, the ordinance shall become operative thirty (30) days after the date that the county election commission makes its official canvass of the election returns; such ordinance shall not become operative before the expiration of one hundred twenty

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(120) days following the final passage of the annexation ordinance. If the ordinance is rejected, it shall be void and of no effect.

SECTION 2. The provisions of this act shall take effect on becoming a law, the public welfare requiring it.